



Paper No. 3

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In re Application of  
Norris et al.  
Application No. 09/558,871  
Filed: April 28, 2000  
Attorney Docket No. P-8873

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 22, 2001, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Notice of Missing Parts mailed June 30, 2000. Accordingly, this application became abandoned on August 31, 2000.

The statement of unintentional delay presented in the petition does not comply with the current rule. Effective December 1, 1997, 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" be submitted. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

The file is being forwarded to Office of Initial Patent Examination.

Telephone inquiries concerning this matter may be directed to Lesley D. Morris at (703) 306-0028.

Edward J. Tannouse  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy